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4Q364 & 365: A Preliminary Report

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4Q364 and 365, part of the group of compositions (4Q364, 365, 366 and 367) provisionally entitled 4Q Pentateuchal Paraphrases, are part of the lot of Qumran manuscripts originally assigned to John Strugnell for publication. Strugnell, in 1989, asked me to join my colleague, Professor Emanuel Tov of the Hebrew University, in preparing these manuscripts for publication. This paper serves as an introduction and first statement on these manuscripts.¹

4Q364 and 365 are preserved on 20 plates of material, which contain about 150 fragments of text. The fragments range in size from two columns, preserving 15 lines, to fragments containing no more than four or five letters. The date of the manuscripts, according to paleographic criteria, is late Hasmonean (c. 75-50 BCE).² The orthography of the scroll is fairly full, with most vowels marked and the use of long endings.

The two scrolls preserve extensive material from all five books of the Pentateuch, the extant text beginning in Genesis 2 and then preserving, in fragmentary form, parts of the text through Deut 19. Thus both scrolls, when whole, would have been quite large. In fact, they would be the only complete Pentateuch scrolls found at Qumran (the other scrolls which contain books of the Pentateuch preserve the five books either separately or in groups of two, such as Genesis-Exodus).³ For a discussion of the text

¹ Cf. also the paper of E. Tov in this same volume.

² 4Q365 was one of the manuscripts used for Carbon-14 dating in the summer of 1990. The results, released at the Madrid conference by Magen Broshi, curator of the Shrine of the Book, the Israel Museum, in Jerusalem, dates this manuscript between 209 and 117 BCE (cf. G. Bonani, M. Broshi, I. Carmi, S. Ivy, J. Strugnell, W. Wölfi, *Radiocarbon Dating of the Dead Sea Scrolls* in *Atiqot XX* (1991) 27–32). However, since the fragment (frag. Add. 3*) used for dating (submitted by J. Strugnell in 1990) may not belong to the text of 4Q365 at all, and will be published in a separate appendix to that manuscript, the carbon-14 date cannot be used to date the manuscript 4Q365 as a whole (see further the article of E. Tov in this volume).

³ Using the method of Hartmut Stegemann of the University of Göttingen for reconstructing scrolls, which looks for regularly occurring “points of damage” on the scroll, it is possible approx-

critical data presented by 4Q364 and 365 see the paper of E. Tov in this same volume.

This paper will be concerned with the minor expansions, or “exegetical additions,” as Tov and I have chosen to call them, which are sprinkled throughout the text of this manuscript. This is material which is unique to these manuscripts, i.e. it is found in no other exemplars of the books of the Pentateuch, either from Qumran or elsewhere (although parallels can be found in books such as Jubilees, 11QTemple Scroll, and the Samaritan version of the Pentateuch). These exegetical additions may be either haggadic, that is, adding narrative elements to the biblical text, or halakhic, adding legal material. The additions may be quite brief, only two or three words, or may take up several lines of text. I will give three examples of exegetical additions, one which is short, and two which are more substantial.⁴

The first example, which is relatively brief and adds narrative material, is from 4Q364.

44364
Fragment 3, col. ii
Add. + Gen 28:65

Col. ii
1 אותו תראה]

imately to determine the original size of a scroll (H. Stegemann, “Methods for the Reconstruction of Scrolls from Scattered Fragments, in *Archaeology and History in the Dead Sea Scrolls* [ed. Larry Schiffman; *Journal for the Study of the Pseudepigrapha Monograph Series* 8; JSOT/ASOR Monographs 2; Sheffield: Sheffield Academic Press, 1990] 189–220). According to Stegemann in an unpublished paper, 4Q364 and 365, when whole, were probably one complete scroll, copied by two scribes (hence the two Q numbers; in the original division of material, they were thought to be separate manuscripts). The material of 4Q364 comes from the exterior (Gen) and the interior (Num-Deut) of a very large scroll, while the material of 4Q365 comes from the middle of a very large scroll. It is thus possible to postulate that the fragments of both manuscripts came from the same very large scroll. If Stegemann were correct, the scroll would have been approximately 25 meters long, and thus the longest scroll we have found at Qumran. By way of comparison, the Temple Scroll is only 8 meters long. However, there is a small amount of overlap between the two scrolls, at Exod 26:34 (44364, frag. 20, and 4Q365, frag. 9). This would appear to disprove Stegemann’s theory. Stegemann has suggested removing these fragments from the manuscripts; a rather desperate solution. In a private conversation with Stegemann, he informs me that even if 4Q364 and 365 are separate manuscripts (which seems most probable), 4Q365, according to the calculations based on the points of damage found on frag. 12b, cols. ii and iii, would still be 25 meters long. As it stands, the results of the physical reconstruction are not yet conclusive.

⁴ 4QPentateuchal Paraphrases, besides inserting these exegetical additions into its text, also occasionally shortens the biblical text, omitting passages expected from other witnesses to the Pentateuch. It can also rearrange the text of the Pentateuch, giving a different order of chapters or verses than the familiar order of the Masoretic text.

⁵ In the restored parts of the following texts, we have restored according to מ unless other-

2 תראה בשלום]
3 מותכה ועל עיניך] למה אשכל גם
4 שניכם ויקרא [ישחק אל רבקה אשתו ויגד
5 לה את כול הדבר]ים
6 אחרי יעקוב בנה [יתבך VAC
7 וירא עישאו כן ברך ישחק את יעקוב ושלה אותו
8 פ[רן] ארמ לקחת לו מ[שם] אשה

Col. ii. ll. 1–6 (the additional material is indicated in italics):

]/¹ him you shall see [.] /² you shall see in peace [.]
/ ³ your death, and to [your] eyes [.] [lest I be deprived of even]
/ ⁴ the two of you. And [Isaac] called [to Rebecca his wife and he told]
/ ⁵ her all these wor[ds. . .] / ⁶ after Jacob her son [she wept?]/ ⁷ And Esau
saw that [. . .

The non-biblical addition contains material which appears to relate to Rebecca’s address to the departing Jacob, and Isaac’s consolation of her. The material serves no obvious theological function, but adds a note of human interest to the story. It can be partly supplemented by the biblical phrase **למה אשכל גם שניכם** in Gen 27:45 (ll. 3–4) and especially by parallel matter in Jubilees 27:14: “The spirit of Rebecca was grieved after Jacob her son” (cf. ll. 5–6), and 27:17 “and we see him in peace” (1.2). The connection here with Jubilees raises again the question of the relationship of the various texts found in the Qumran library to one another. Could Jubilees have served as a source for this text, or are the two texts drawing on the same body of traditional material?⁶ A thorough comparison of the content of the two texts and the method of supplementation used by 4QPentateuchal Paraphrases is necessary before a definitive answer can be given, but the question of the relationship of these two texts is an intriguing one.

The above is an example of a small supplement in the midst of an already familiar biblical passage. However, the materials of greatest interest

wise noted. The notes and commentary for the following texts, which appear here in a preliminary stage, will be published in final form in E. Tov and S. White, *4QPentateuchal Paraphrases*, forthcoming in *Discoveries in the Judean Desert*.

⁶ Jubilees appears to be a very important text at Qumran, with 14 copies from five caves (see J. Vanderkam’s article in this volume). The number of texts found at Qumran which treat the Pentateuch in some way is extraordinarily large: besides the biblical books themselves, there are, e.g., 4QPentateuchal Paraphrases, the Temple Scroll, the Genesis Apocryphon, Jubilees, and the “Pseudo-Moses” material (some of this material may have been composed at Qumran; Jubilees and possibly some of the others were not). Clearly, the community held the Pentateuch in very high esteem, but had no taboos against a very free handling of the text.

L. 6 (15:20) cf. [וּתְצַאנָה וְתִצְאָן]

- L. 9 15:23 מים מן > *.
- L. 9 15:23 [שמה] מן > τὸ ὄνομα τοῦ τόπου ἐκείνου θ.
- L. 10 15:24 וילין ≈ וילין > מן.
- L. 10 15:25 משה מ^{MSS} > (Μωυσης) θ > *.
- L. 11 15:25 וישלך 4QpaleoExod^m מן > αὐτό θ.
- L. 13 15:26 מ^{MSS} > מן.
- L. 13 15:26 חקיו 4QpaleoExod^m מן.
- L. 13 15:26 המחלה מ^{FN} מכתשיא בישא; מרעין בישין; מרעין; cf. המחלים 4QpaleoExod^m מן > (νόσον).

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- Ll. 4,5 usually spelled with an *alep* in מן (cf. footnote 9).
- L. 8 (15:22) משה מן.
- L. 9 (15:23) יכלו מן.
- L. 9 (15:23) לשתת מן.
- L. 10 (15:24) וילין ≈ וילין מן.
- L. 10 (15:24) לאמר מן.
- L. 10 (15:25) ויעק מן.
- L. 11 (15:25) וימתקו מן.
- L. 11 (15:25) שם מן.
- L. 11 (15:25) חק מן.
- L. 12 (15:26) אלהיך מן.
- L. 12 (15:26) בעינו מן.
- L. 13 (15:26) כל מן.

The second addition I would like to present is a halakhic addition which appears immediately following the beginning of verse two in Leviticus 24. This addition is preserved on fragment 23 of 4Q365, a rather large fragment containing 12 partial lines of text. The fragment has a right margin and a top margin, and although none of the left margin remains, the end of the line is clear on line 3. The fragment is wrinkled and creased, with one large hole and several worn spots, but the text is fairly clear. The additional material pertains to sacrifices, the oil festival, and the wood festival.

4Q365

Frag. 23

Lev 23:42-24:2 + add.

Top Margin

- 1⁴² [בסו]כות תשבו שבעת ימים כול האזרח בישראל ישב בסוכות ⁴³למ[ען ידע]ו דת[רותיכם]
- 2 כן [בס]כות הושבתי את אבותיכם בהוציאי אותם מארץ מצרים אני יהוה אלוהיכם]
- 3 ⁴⁴וידבר משה את מועדי יהוה אל בני ישראל vacat
- 4¹ וידבר יהוה אל משה לאמור ²צו את בני ישראל לאמור בבואכמה אל הארץ אשר
- 5 [א]נכי נותן לכם לנחלה וישבתם עליה לבטח תקריבו עששים לעולה ולכול מל[א]כל[ה]
- 6 [הב]ית אשר תבנו לי בארץ לערוך אותם על מזבח העולה[ו]את העללים
- 7 [] ם לפסחים ולשלמים ולתודות ולנדבות ולעולות דבר יום]
- 8 [] ל[] ל[] מים ולד[ל]תות ולכול מלאכה הבית יקריבו
- 9 [] מלעד היצהר יקריבו את העצים שנים]
- 10 [] המקריבים ביום הרישון[ו] לוי]
- 11 ראובן ושמעון וב[] יום הרב[יעי]
- 12 [] ל[]

NOTES ON THE READINGS

- L. 5 עששים The scribe originally wrote the erroneous עששים, which he then corrected by placing correction dots above and below the *shin* and adding *sade* above the line.¹⁰
- L. 3 (23:43) מ^{MSS} > מן. The paragraph break is indicated by an indentation.
- L. 3 (23:44) מן פ.

TRANSLATION OF THE ADDITIONAL TEXT (L. 4 UNTIL L. 11)

⁴ And Yahweh spoke to Moses, saying, command the children of Israel, saying, when you come to the land which ⁵ I am giving to you for an inheritance, and you dwell upon it, securely, you will bring calves for a burnt offering and for all the wo[r]k of ⁶ [the H]ouse which you will build for me in the land, to arrange them upon the altar of burnt offering, and the calv[es] ... ⁷ ... for passover sacrifices and for whole burnt offerings and for thank offerings and for free-will offerings and for burnt-offerings, daily ... ⁸ ... and for the doors and for all the work of the House the[y] (or: he) will

¹⁰ This reading was first suggested to me at the Madrid conference by E. Qimron, cf. his "Notes on the Text of the Temple Scroll," *Tarbiz* 53, 140. It was subsequently confirmed for me by E. Puech.

br[ing] ...⁹... the [fe]stival (or: appointed time) of fresh oil they will bring wood two [by two] ...¹⁰... the ones who bring on the fir[st] day, Levi ...¹¹ ... [Reu]ben and Simeon and [on t]he fou[rth] day ...

The placement of the non-biblical material here after the end of the festival calendar in Leviticus serves to give the Mosaic imprimatur to festivals celebrated by at least some groups of Jews in the post-exilic period. This accounts for the position of the additional material. Notice that there is no scribal indication that this is non-biblical material; the text simply flows out of biblical and into non-biblical material as if there were no difference between the two. The reader was surely meant to accept this additional material as part of the sacred, authoritative Torah (for further comment, see below).

COMMENTARY AND TEXTUAL NOTES

L. 1 (23:42) יִשְׁבּוּ יִשְׁבּוּ * (ακατουήσει)] יִשְׁבּוּ .

L. 2 (23:43) אֲבוֹתֵיכֶם] אֲבוֹתֵיכֶם (τοὺς ὑλοὺς Ἰσραηλ).

L. 6 The wording in this line (לַעֲרוֹךְ אֹתָם עַל מִזְבֵּחַ), which recalls the wording of Lev 1:8 (וַיַּעֲרֹךְ בְּנֵי אֶהֱרָן הַכֹּהֲנִים...עַל הַמִּזְבֵּחַ), calls attention to the fact that this is legislative material, meant to be obeyed as the rest of the legislation in Leviticus. This again emphasizes the connection with the previous legislation.

Ll.6 & 7 Concerning the calf as a passover sacrifice, cf. Deut 16:2 and 2 Chr 35:7–9. Both these passages infer that the offering of a calf was a legitimate Passover sacrifice, which appears to be the case in this passage as well. The mention of the passover sacrifice with the whole-offerings sheds interesting light on the accepted practice of the festival in II Temple times. After the centralization of the cult in Jerusalem at the time of Josiah, the slaughter, preparation, and consumption of the Passover sacrifice took place in the forecourts of the Temple as a public festival (rather than a private family celebration). Thus the sacrificial blood, like any other sacrificial blood, was poured out at the base of the altar (rather than smeared on the doorposts, as in the family celebration). Frag. 23 also seems to refer to the public celebration of the festival. This public celebration was one of the three great Pilgrim Festivals in II Temple times (Passover, Shavuot and Sukkot). This fact may explain the connection with the whole-offerings mentioned in the same line, since the freewill offering (a type of whole-offering) was the minimum offering for these three pilgrim festivals. Here, as in Lev 7:11–16, the תִּדְבָּהּ and תִּדְבָּהּ offerings are subsumed under the שְׁלֵמִים. The whole-offering was the basic sacrifice of all communal offerings (thank- and freewill-offerings falling in the category

of the whole-offering). It was slaughtered at the door of the sanctuary, and culminated in a *communal* meal (like the Passover). It was specified at the celebration of Shavuot (Lev 23: 19–20), the pilgrim festival following the Passover, which helps to explain the order of the sacrifices found here.

LL. 9–10 After what were apparently regulations concerning the festival of fresh oil, the text mentions the wood festival, the appointed time of the offering of wood for the sacrifices in the Temple. The wood festival was a popular festival in the time of the II Temple, which, according to the rabbis, took place on the 15th of Ab (Meg. Ta'anit V). It was celebrated by the whole community.¹¹ The Temple Scroll, in cols. 23 and 24, contains material concerning the wood festival, but in the Temple Scroll the festival is a six day festival celebrated from the 23rd to the 29th of Ellul. The top of col. 23 in 11QTemple is the end of a discussion of the festival of fresh oil. The rest of the column begins the discussion of another festival, which Yadin identified as the Wood Festival.¹² In column 24, the Temple Scroll gives the order of the days of the tribal offerings: Levi and Judah on the first day, Benjamin and Joseph on the second, Reuben and Simeon on the third, Issachar and Zebulun on the fourth, Gad and Asher on the fifth, and Dan and Naphtali on the sixth day of the festival.¹³ This is exactly the order which seems to be called for by 4Q365, at least for the first three days. We are clearly within a discreet, *written* legislative system in 4QPP and 11QTemple.¹⁴

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L. 1 (23:42) בִּסְכָּח] בִּסְכָּח (בסוֹכֹחַ)] בִּסְכָּח .

L. 1 (23:42) כֹּל] כֹּל .

L. 1 (23:42) בִּסְכָּח] בִּסְכָּח (בסוֹכֹחַ)] בִּסְכָּח .

L. 2 (23:43) בִּסְכָּח] בִּסְכָּח (בסוֹכֹחַ)] בִּסְכָּח .

L. 2 (23:43) אֱלֹהֵיכֶם] אֱלֹהֵיכֶם (אֱלֹהֵיכֶם)] אֱלֹהֵיכֶם .

L. 3 (23:44) מִשָּׁה] מִשָּׁה (מִשָּׁה)] מִשָּׁה .

L. 3 (23:44) מַעֲדִי] מַעֲדִי (מַעֲדִי)] מַעֲדִי .

¹¹ There is a wood offering mentioned in the Bible, at Neh 10:35, and 13:31, but there the text is talking about the offering of wood on fixed dates by certain prominent families. The Book of Jubilees, in chap. 21, also mentions the types of wood which are appropriate to offer and to use to burn the sacrifices.

¹² Yigael Yadin, *The Temple Scroll* (rev. Eng. ed.; vol. 1; Jerusalem: IES, 1983) 122–124. It should be noted that Yadin supplements his discussion of the contents of 11QTemple with material from this fragment (identified as Rock. 43.366, Pl. 40*:1). Concerning this fragment, Yadin states “Here, too, the subject is undoubtedly a festival involving wood.”

¹³ Yadin, *The Temple Scroll* (vol. 2) 340–345.

¹⁴ I emphasize the word “written” because the Qumran group had a tradition of writing down their legal precepts, unlike the Pharisees, whose tradition was oral. This tradition of cataloguing

L. 4 (24:1) משה [מושה] מ.

L. 4 (24:1) מ לאמר] לאמר מ.

As the above examples attest, The Pentateuchal Paraphrase text, of which 4Q364 and 365 are the main exemplars, can be classified as a “re-written Torah.” The category “re-written Torah” includes several different types of texts. For example, Jubilees presents a thorough rewriting of the text of Genesis, adding narrative material freely, and espousing a particular sectarian point of view (e.g., Jubilees advocates the use of a solar calendar, as opposed to a lunar one). The Temple Scroll is also a complete rewriting of the Torah, although in this case the author(s) is almost exclusively interested in legislative material, again from a particular sectarian viewpoint. 4QPentateuchal Paraphrases may be classified as more conservative than either Jubilees or the Temple Scroll. 4QPP contains not a thorough reworking of the biblical text to support a particular theological or legal viewpoint, but rather contains a biblical text with additional material placed at appropriate points in the text. These additions, moreover, do not seem to advocate any particular legal perspective. In fact, the function of the additions (and, for that matter, the deletions and other changes to the biblical text) is unclear at the present time. However, these manuscripts show by their very existence, as do many of the biblical scrolls from Qumran, that there was no concept of “a canonical text” at Qumran, but that many exemplars of a book could exist side by side with no apparent difficulty.¹⁵ We do not yet know for certain how the community used this text, but its existence in the library at Qumran shows that the concept of canon in this strict, legal community, even for Torah scrolls, was fluid. The text’s points of contact with both Jubilees and the Temple Scroll raise again the possibility that we can see in the Qumran library a collection of inter-related texts, possibly the texts of a distinctive group of Jews (whom most scholars would identify with the Essenes) in the II Temple period.

laws in written form is best exemplified at Qumran by 4QMMY (cf. the edition of J. Strugnell and E. Qimron, forthcoming in *Discoveries in the Judean Desert*).

¹⁵ The majority of scholars date both the Temple Scroll and Jubilees to the 2nd century BCE, and it is likely that this is the period of the composition of 4QPentateuchal Paraphrases as well. The question of whether 4QPP was a Qumran composition, mentioned above, is still open.